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Signed: \_\_\_\_\_

Barbara deRuyter

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

PATIL, N.; et al.

Application No.: 09/938,878

Filed: August 24, 2001

For: Methods for Reducing Complexity of Nucleic Acid Samples

Examiner: Jeffrey N. Fredman

Art Unit: 1634

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97 AND §1.98**

Mail Stop Amendment  
Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

The references cited on the attached form PTO/SB/08 are being called to the attention of the Examiner. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement

and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):


- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and/or charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2043 (Docket No. 200/1004-20).

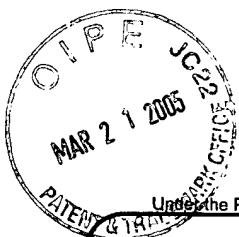
Respectfully submitted,

PERLEGEN SCIENCES, INC.

Dated: March 16, 2005

By:   
Deana A. Arnold, Ph.D.  
Reg. No. 52,567

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Application Number	09/938,878
Filing Date	August 24, 2001
First Named Inventor	Nila Patil
Art Unit	1634
Examiner Name	Jeffrey N. Fredman
Attorney Docket Number	200/1004-20

Sheet 1 of 2

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 6,372,436	04-16-2002	Pouzyrev, et al.	
	2	US- 6,503,717	01-07-2003	Case, et al.	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	3	WO 00/24939 cum to US6,361,947 previously cited	05-04-2000	Affymetrix, Inc		
	4	WO 99/55913	11-04-1999	Sidney Kimmel Cancer Center		

Examiner  
Signature

Date  
Considered

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(Use as many sheets as necessary)***Complete if Known**

Application Number	09/938,878
Filing Date	August 24, 2001
First Named Inventor	Nila Patil
Art Unit	1634
Examiner Name	Jeffrey N. Fredman
Attorney Docket Number	200/1004-20

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	5	WELFORD, S.M.; et al., Detection of differentially expressed genes in primary tumor tissues using representational differences analysis coupled to microarray hybridization, Nucleic Acids Research, 1998, 26:12:3059-3065	
	6	YANG, G.P.; et al., Combining SSH and cDNA microarrays for rapid identification of differentially expressed genes, Nucleic Acids Research, 1999, 27:6:1517-1523	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/938,878	
	Filing Date	August 24, 2001	
	First Named Inventor	Nila Patil	
	Art Unit	1634	
	Examiner Name	Jeffrey N. Fredman	
Total Number of Pages in This Submission	267	Attorney Docket Number	200/1004-20

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Deana A. Arnold, Ph.D. Reg. No.: 52,567
Signature	
Date	March 16, 2005

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Signature	
Date	March 16, 2005

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